



**Council Bill 10-0571**

**Subtitle – Fire and Police Employees’ Retirement System**

**§ 30. Definitions.**

In this subtitle, unless a different meaning is plainly required by the context, the following words and phrases have the meanings indicated:

(11) (d) For members who:

(i) retired on or after July 1, 1988, and on or before June 30, 2010, or

(ii) retire on or after July 1, 2010, and who, as of June 30, 2010, meet the applicable age and service requirements for a normal service retirement under § 34(a-1)(1) or have acquired 15 or more years of [continuous] service [as a contributing member of this System],

“average final compensation” means the average annual earnable compensation for the 18 consecutive months of service as an employee during which his or her earnable compensation was highest.

(20) “CONTRIBUTING MEMBER OF THIS SYSTEM” MEANS A MEMBER WHO MAKES REQUIRED MEMBER CONTRIBUTIONS WHILE AN EMPLOYEE.

**§ 32. Service creditable.**

(f) *Military service credit.*

(1) Notwithstanding any other provision of this subtitle, upon proper application to the System, credit for military service, as defined in § 32(e) of this subtitle, [for benefit purposes and] for purposes of eligibility for a normal service retirement under § 34(a-1), DROP under § 36B, or DROP 2 under § 36C, AND FOR BENEFIT PURPOSES shall be granted to any member of this system who has served in the military prior to employment with the City, if that member has acquired at least 10 years of service and attained the age of 50, or has acquired 20 years of service.

**§ 33. Administration.**

(b) *Members.*

The Board consists of 11 trustees, as follows:

(3) The Chief of the Fire Department, ex officio. The Chief of the Fire Department may designate a representative to attend any meeting of the Board of Trustees in his or her place. This representative must be [the Department’s Chief of Staff or the Department’s Deputy Chief for Finance and Administration] A DEPUTY FIRE CHIEF and must be a member of this system. This representative has the authority to act in the Chief’s place.

**Council Bill 10-0571**

1 **§ 34. Benefits.**

2 (a-1) *Normal service retirement benefits.*

3 (2) *Age and service requirements for retirements on or after July 1, 2010.*

4 A member may retire with a normal service retirement on or after July 1, 2010, if he  
5 or she satisfies item (i), (ii), or (iii) that follows:

6 (i) as of June 30, 2010, he or she has met the applicable age or service  
7 requirements set forth in paragraph (1) of this subsection.

8 (ii) as of June 30, 2010, he or she has acquired 15 or more years of [continuous]  
9 service [as a contributing member of this System] and, on the last day of his  
10 or her City employment, he or she has met the applicable age or service  
11 requirements set forth in paragraph (1) of this subsection.

12 (iii) on the last day of his or her City employment, he or she has either:

13 (A) acquired 25 or more years of [continuous] service, AT LEAST 15 YEARS  
14 OF WHICH WERE as a contributing member of this System; or

15 (B) 1. attained age 55; and

16 2. acquired 15 or more years of [continuous] service as a contributing  
17 member of this System.

18 (a-2) *Early service retirement benefits – age and service requirements.*

19 (1) On or after July 1, 2010, a member of this System on OR AFTER June 30, 2010, who  
20 does not satisfy the conditions of either paragraph (2)(i) or paragraph (2)(ii) of  
21 subsection (a-1) of this section may retire with an early service retirement when he or  
22 she first meets the applicable age or service requirements for a normal service  
23 retirement under subsection (a-1)(1) of this section.

24 **§ 36C. Deferred Retirement Option Plan 2.**

25 (b) *Definitions.*

26 (7) (i) [“Interest”] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,  
27 “INTEREST” means the regular interest rate for the Annuity Savings Reserve as  
28 defined in § 30(9) of this subtitle.

29 (II) FOR A MEMBER OF THIS SYSTEM WHO, AS OF JUNE 30, 2010, HAS ACQUIRED 15 OR  
30 MORE YEARS OF SERVICE, “INTEREST” MEANS 5 ½ % PER ANNUM COMPOUNDED  
31 ANNUALLY.

32 (c) *Eligibility and application.*

33 (1-a) Notwithstanding § 30(6) of this subtitle, the service credit requirements for  
34 DROP 2 eligibility on or before June 30, 2010, are as follows:

**Council Bill 10-0571**

1 (A) To be eligible, a member of this System as of July 1, 2003, must acquire  
2 20 or more years of service[, whether through employment covered by this  
3 System or by transfer-in, purchase, or military service pursuant to § 32 of  
4 this subtitle].

5 (B) To be eligible, an employee who becomes a member of this System after  
6 July 1, 2003, and on or before December 31, 2009, must acquire 20 or  
7 more years of service, [whether through employment covered by this  
8 System or by transfer-in, purchase, or military service pursuant to § 32 of  
9 this subtitle,] 10 or more of which must be years of [continuous] service as  
10 a contributing member of this System.

11 (C) To be eligible, an employee who becomes a member of this System on or  
12 after January 1, 2010, must acquire 20 or more years of [continuous]  
13 service as a contributing member of this System.

14 (1-b) Notwithstanding § 30(6) of this subtitle, the service credit requirements for  
15 DROP 2 eligibility on or after July 1, 2010, are as follows:

16 (A) To be eligible, a member of this System who, as of June 30, 2010, has  
17 acquired 15 or more years of [continuous] service [as a contributing  
18 member of this System,] must acquire 20 or more years of service[,  
19 whether through employment covered by this System or by transfer-in,  
20 purchase, or military service pursuant to § 32 of this subtitle].

21 (B) To be eligible, a member of this System who, as of June 30, 2010, has not  
22 acquired 15 or more years of [continuous] service [as a contributing  
23 member of this System,] must acquire 25 or more years of [continuous]  
24 service as a contributing member of this System.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That, for purposes of the “grandfather” rules  
26 applicable to the changes made by Ordinance 10-306 to the definition of “average final  
27 compensation”, to the age and service requirements for the normal service retirement benefit,  
28 and to eligibility for DROP 2, a member who purchases service under Article 22, § 32 of the  
29 Baltimore City Code on or before December 31, 2010, is deemed to have purchased that service  
30 on or before June 30, 2010.

31 **SECTION 3. AND BE IT FURTHER ORDAINED,** That if all provisions of this Ordinance are  
32 severable. If any provision is held to be invalid or if the application of a provision to any person  
33 or circumstances is held to be invalid, the remaining provisions or applications to other persons  
34 or circumstances are not affected by that decision.

35 **SECTION 4. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
36 are not law and may not be considered to have been enacted as a part of this or any prior  
37 Ordinance.

38 **SECTION 5. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it  
39 is enacted.

**Council Bill 10-0571**

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City